ECCLESIA LAW

Private Ecclesiastical Counsel
United States & International

THE BIRTH CERTIFICATE COPYRIGHT, TRADEMARK & AUTHENTICATION MYTH

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An Analysis of Administrative Fallacies vs. The Law of Agency

1. Executive Summary

I issue this report to address a series of prevalent but legally unsound strategies within the private law community: the attempt to "Copyright" a name, "Trademark" a legal persona, or "Authenticate" a birth certificate to secure immunity from statutory jurisdiction. These methods rely on the misconception that court cases are purely commercial disputes that can be resolved by asserting property rights over a legal name.

This report details why these strategies are fallacies. They fail because they ignore the **Law of Agency** and the **Doctrine of Persons**, often accelerating the individual's liability by inadvertently confirming their connection to the state-created fiction. The correct remedy lies not in claiming ownership of the fiction, but in severing the agency relationship through the **Envoy Protocol**.

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2. The Trademark and Copyright Fallacy

The Promise

Proponents of this method claim that by filing a "Common Law Copyright" or "Trademark" on the all-caps name (e.g., JOHN DOE ©), the living man establishes exclusive ownership of the legal persona. The promise is that any use of this name by a court, bank, or prosecutor constitutes "copyright infringement," allowing the individual to issue "Fee Schedules" charging the court exorbitant sums for speaking or printing the name.

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The Reality: You Cannot Copyright What You Did Not Create

Under English Law and the Interpretation Act 1978, the "Person" is a creation of the State, brought into existence via registration. Intellectual property law protects the *creator* of a work. The living man did not create the birth certificate or the legal person; the State did. Therefore, asserting a trademark over the State's property is legally void.

Why It Fails: The Liability Trap

Courts are not commercial marketplaces, and a summons is not a commercial offer to use a trademark. By asserting that you "own" the name, you unwittingly cement the **Agency** relationship you are trying to sever. In law, ownership often implies responsibility. If you claim the name is your property, the court views you as the "beneficial owner" fully liable for the name's debts and conduct. Instead of dismissing the case, the court ignores the "Fee Schedule" as frivolous and proceeds to judge the man who has voluntarily stepped into the shoes of the fiction.

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3. The Authentication and Apostille Fallacy

The Promise

This strategy suggests that sending a birth certificate to the Secretary of State or the U.S. Department of State for "Authentication" (Apostille) transforms the document. The myth promises that this process turns the certificate into a "foreign judgment," a "negotiable instrument," or a "sovereign bond" that allows the holder to discharge debts or claim diplomatic immunity.

The Reality: Verification, Not Validation

Authentication and Apostilles are strictly administrative functions used to verify the genuineness of a public official's signature for use in a foreign country (e.g., for international marriage or business). It certifies the *signature* of the registrar; it does not alter the *content* or legal status of the document.

Why It Fails: The "Holder" Error

Presenting an authenticated birth certificate in a domestic court proves only one thing: that the individual is in possession of a valid State record. It does not prove the individual is a sovereign or a creditor. Furthermore, by claiming to hold this "instrument" as a means to settle a case, the individual falls into the **Holder in Due Course (HDC)** trap. The court views this as an attempt to "bond" a case using a document that has no redeemable cash value, often leading to charges of "worthless instrument" fraud or immediate dismissal of the argument.

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4. The Core Error: Ignoring the Law of Agency

The fatal flaw shared by Copyright, Trademark, and Authentication schemes is the ignorance of **Agency**.

- **The Bridge of Agency:** The connection between the living soul and the artificial person is maintained through agency. When a man answers to the name in court, he is presumed to be the *agent* acting for the *principal* (the Person).
- **Executor De Son Tort:** When an individual attempts to "administer" the name via Copyright or Authentication without lawful authority, they are viewed as an *executor de son tort*—an unauthorized intermeddler. This removes the protection of the corporate veil and makes the living soul personally liable for the estate's penalties.
- **Commercial vs. Sovereign:** These schemes wrongly presume courts are banks. Criminal and statutory courts operate on sovereign authority to maintain public order, not on commercial ledgers that can be offset by "trademark fees" or "birth certificate bonds".

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5. The Correct Remedy: The Envoy Protocol & Agency

The only doctrinally sound method to correct standing is to address the capacity in which the individual appears.

Severing Agency

Instead of trying to "own" the fiction, the **Envoy Protocol** uses *Clausula Rebus Sic Stantibus* to rescind the presumed agency relationship. The individual asserts that they were unknowingly conscripted as an agent for the State's creation and now withdraws that consent.

Occupying the Office of General Executor

Rather than claiming to *be* the person (or own it), the individual occupies the **Office of General Executor** of the legal estate.

- **The Shift:** This shifts the position from "Subject" (liable surety) to "Administrator" (governing authority).
- **The Effect:** An Executor directs the settlement of the estate's affairs but is not personally liable for its debts, provided they do not intermeddle as an *executor de son tort*.

Diplomatic Standing

By declaring status as an **Envoy** within an ecclesiastical or international framework, the individual removes the controversy from the domestic administrative court. The legal person remains a "decedent estate" of the State, while the living man operates from a superior jurisdiction of stewardship and diplomatic neutrality.

6. Conclusion

The belief that "authenticating" a birth certificate or "trademarking" a name will discharge liability is a high-risk fallacy that consistently fails in recognized jurisdictions. These methods attempt to apply commercial remedies to questions of sovereign authority and agency.

The **Envoy Protocol** succeeds because it respects the **Law of Agency**. It does not fight the system with "paper terrorism" or "fake bonds"; it correctly identifies the legal person as a decedent estate and positions the living man as the authorized Executor, lawfully separating the living from the dead.